

# Rule-Making Fact Sheet

(5 MRSA §8057-A)

AGENCY: Department of Environmental Protection

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CHAPTER NUMBER AND RULE TITLE:

Chapter 100 Definitions Regulation

STATUTORY AUTHORITY: 38 M.R.S. § 585-A

DATE, TIME AND PLACE OF PUBLIC HEARING:

The Department has scheduled this proposal to a 30-day public comment period.

COMMENT DEADLINE: April 22, 2016 5:00 PM

PRINCIPAL REASON(S) OR PURPOSE FOR PROPOSING THIS RULE: [*see* §8057-A(1)(A)&(C)]

On February 14, 2013, the Department submitted amendments to the Chapter 100 Definitions rule into Maine's State Implementation Plan (SIP) as part of its efforts to implement federal new source review (NSR) requirements for the PM 2.5 National Ambient Air Quality Standards and greenhouse gas emissions. The amendments to Chapter 100 included revisions and/or additions to a number of definitions.

During their review, the U.S. Environmental Protection Agency identified two additional changes that will be necessary for approval of this SIP submittal. The Department is now proposing to amend Chapter 100 to incorporate these changes.

IS MATERIAL INCORPORATED BY REFERENCE IN THE RULE?  X  YES   NO [§8056(1)(B)]

ANALYSIS AND EXPECTED OPERATION OF THE RULE: [*see* §8057-A(1)(B)&(D)]

The Department is proposing to:

- 1) Explicitly identify NO<sub>x</sub> as a precursor to ozone in the definition of "regulated pollutant" in section 149; and
- 2) Replace a reference to "NO<sub>2</sub>" with "NO<sub>x</sub>" in the footnote of the definition of "significant emission increase" in section 156.

No other changes are proposed.

BRIEF SUMMARY OF RELEVANT INFORMATION CONSIDERED DURING DEVELOPMENT OF THE RULE (including up to 3 primary sources relied upon) [see §§8057-A(1)(E) & 8063-B]

The Department consulted with the U.S. Environmental Protection Agency (EPA) during the development of this proposal.

ESTIMATED FISCAL IMPACT OF THE RULE: [see §8057-A(1)(C)]

No fiscal impact is anticipated from this proposal.

***FOR EXISTING RULES WITH FISCAL IMPACT OF \$1 MILLION OR MORE, ALSO INCLUDE:***

ECONOMIC IMPACT, WHETHER OR NOT QUANTIFIABLE IN MONETARY TERMS:  
[see §8057-A(2)(A)]

INDIVIDUALS, MAJOR INTEREST GROUPS AND TYPES OF BUSINESSES AFFECTED  
AND HOW THEY WILL BE AFFECTED: [see §8057-A(2)(B)]

BENEFITS OF THE RULE: [see §8057-A(2)(C)]

*Note: If necessary, additional pages may be used.*

